

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOT EVANS,

Plaintiff,

Case No: 11-cv-14302-JCO-PJK
Hon. John Corbett O'Meara

v.

NATIR, LLC, a Michigan Limited
Liability Company, DARNELL FUQUA,
an individual, DARREL KELSOE, and XYZ
COMPANY, jointly and severally,

Defendants.

ORDER

The above-named case has come before the Court upon the Motion of Plaintiff Scott Evans to Show Cause and to Enter a Default Against Defendants Fuqua and Natir, LLC. The Court has read and considered the Motion and the filing made by Mr. Fuqua and having held a hearing on the matter on May 31, 2012 where Mr. Fuqua and Natir, LLC were represented by counsel and being otherwise fully advised in the premises:

IT IS HEREBY ORDERED that Plaintiff's Motion to Show Cause is GRANTED.

IT IS FURTHER ORDERED that Defendants Darnell Fuqua and Natir, LLC, are hereby found to be in contempt of Court.

IT IS FURTHER ORDERED that a Default is hereby entered against Defendants Darnell Fuqua and Natir, LLC.

IT IS FURTHER ORDERED that Defendants Natir, LLC and Darnell Fuqua, jointly and severally, shall on or before July 2, 2012, remit payment to Plaintiff's counsel by Cashier's Check payable to SMV Law Offices Client Trust Account, in the total amount of \$4,750.00.

IT IS FURTHER ORDERED that should Defendants fail to expressly comply with the Court's Order stated herein, that upon presentment of an Affidavit by Plaintiff's counsel advising

the Court that Defendants have failed to comply with the Court's Order(s), the Court shall thereafter enter a Default Judgment against Defendants Fuqua and Natir, LLC in the form presented by Plaintiff's counsel.

IT IS FURTHER ORDERED that should Defendants comply with the Court's Order as stated herein, counsel for the Plaintiff shall submit an Affidavit to the Court advising the Court of Defendants' compliance at which time Defendants Fuqua and Natir, LLC will be deemed no longer in contempt of Court.

IT IS FURTHER ORDERED that the Motion filed by Defendants' Counsel to Withdraw be and is hereby GRANTED.

IT IS FURTHER ORDERED that should Defendants comply with the Court's Order herein and no judgment is entered as a result of Defendants' failure to comply as described above, Defendants are hereby ordered to have their new counsel file an Appearance on or before August 1, 2012. Upon filing of an Appearance by Defendants' counsel, the Defendants shall no longer be deemed in Default.

IT IS FURTHER ORDERED that should Defendants fail to cause counsel to file an Appearance as required herein, then upon presentment of an Affidavit by Plaintiff's counsel advising the Court that Defendants have failed to comply with the Court's Order(s) as to retaining of new counsel, the Court shall thereafter enter a Default Judgment against Defendants Fuqua and Natir, LLC in the form presented by Plaintiff's counsel.

Date: June 11, 2012

s/John Corbett O'Meara
United States District Judge

I hereby certify that a copy of this order was served upon counsel of record on this date, June 12, 2012 using the the Court's ECF system.

s/William Barkholz
Case Manager